

# HOUSE . . . . . No. 1535

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## The Commonwealth of Massachusetts

PRESENTED BY:

**Charles A. Murphy, James Dwyer**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act preventing indemnification for willful, wanton, civil rights violations.

PETITION OF:

NAME:

Charles A. Murphy  
James Dwyer

DISTRICT/ADDRESS:

21st Middlesex  
30th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1602 OF 2007-2008.]

## **The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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### **AN ACT PREVENTING INDEMNIFICATION FOR WILLFUL, WANTON, CIVIL RIGHTS VIOLATIONS.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority  
of the same, as follows:*

- 1           SECTION 1. Section 9 of Chapter 258 of the General Laws is hereby amended by striking the words  
2 'shall' in line 1 and inserting the word 'may' in its place.
- 3           SECTION 2: Section 9 of Chapter 258 of the General Laws is hereby further amended by striking the words "or  
4 omission which constitutes a violation of the civil rights of any person under any federal or state law, if such  
5 employee or official or holder of office under the constitution at the time of such intentional tort or such act or  
6 omission was acting within the scope of his official duties or employment" in the first sentence.
- 7           SECTION 3: Section 9 of Chapter 258 of the General Laws is hereby further amended by striking the words "other  
8 than a person holding office under the constitution acting within the scope of his official duties or employment" and  
9 the words "any such" in the second sentence.